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APPLICATION NUMBER

FILING OR 371 (c) DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

10/808,595

03/25/2004

Toshiyuki Ebara

67336-018

MCDERMOTT, WILL & EMERY 600 13th Street, N.W. Washington, DC 20005-3096

130.00 DA



CONFIRMATION NO. 4609 FORMALITIES LETTER

OC000000012919392*

Date Mailed: 06/10/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

07/29/2004 HLE333

04 FC:1051

10808595

00000021 500417

01 FC:1001 770.00 DA 86.00 DA 02 FC:1201 290.00 DA 03 FC:1203

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing. Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity, If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing. A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

 Additional claim fees of \$376 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$1276 for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is \$376

■ \$86 for 1 independent claims over 3.

■ \$290 for multiple dependent claim surcharge.

Replies should be mailed to: Mail Stop Missing Parts

Commissioner for Patents

P.O. Box 1450

Alexandria VA 22313-1450

A copy of this notice <u>MUST</u> be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

Docket No.: 67336-018 PATENT

JUL 2 8 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BADEU & COT

In re Application of : Customer Number: 20277

Toshiyuki EBARA, et al. : Confirmation Number: 4609

Serial No.: 10/808,595 : Group Art Unit: 3744

Filed: March 24, 2004 : Examiner:

For: REFRIGERANT CYCLE APPARATUS

RESPONSE TO NOTICE OF MISSING PARTS OF APPLICATION

Mail Stop Missing Parts Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In response to the Notice of Missing Parts of Application dated June 10, 2004, submitted herewith are the following documents for filing in the above-referenced application:

- 1. Declaration and Power of Attorney (which is in compliance with 37 CFR 1.63)
- 2. Statutory Basic filing fee of \$770.00
- 3. Late Filing Fee Surcharge of \$130.00
- 4. Additional Claims Fee of \$376.00
- 5. Information Disclosure Statement & PTO Form 1449 (w/1Reference)
- 5. Assignment and recordation fee of \$40.00 (On Separate Postcard)

Please charge Deposit Account No. 500417 in the amount of \$1276.00. To the extent necessary, Applicants petition for an extension of time under 37 C.F.R. 1.136.

10/808,595

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

MCDERMOTT WILL & EMERY LLP

Registration No. 26,106

600 13th Street, N.W. Washington, DC 20005-3096 (202) 756-8000 AJS:gav Facsimile: (202) 756-8087

Date: July 28, 2004